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EXAMINER

DANIEL JR, WILLIE J

ART UNIT PAPER NUMBER

2617

DATE MAILED: 06/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/877,967	BEDINGFIELD ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Willie J. Daniel, Jr.	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-4,6-12,14-28 and 30-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4,6-12,14-28 and 30-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

1. This action is in response to applicant's RCE amendment filed on 13 December 2005.

**Claims 1-4, 6-12, 14-28, and 30-33** are now pending in the present application and **claims 5, 13, and 29**. This office action is made **Non-Final**.

#### ***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 13 December 2005 has been entered.

#### ***Double Patenting***

3. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

4. **Claims 1-4, 6-12, 14-28, and 30-33** are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1-21 of copending Application No. **10/113,399** (hereinafter '399). Although the conflicting claims are not identical, they are not patentably distinct from each other because both instant application and co-pending application claims the same subject matter. The common subject matter is a system and method for providing a simultaneous ring service for multiple landline or wireless telecommunications units.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Regarding **Claim 1** and dependents 2-4, 6-9, 31, the claims have similar and/or exact limitations as the claims 1-22 (e.g., 1-9) (see '399).

Regarding **Claim 10** and dependents 11-12, 14-17, 32, the claims have similar and/or exact limitations as the claims 1-22 (e.g., 10-17) (see '399).

Regarding **Claim 18** and dependents 19-25, 33, the claims have similar and/or exact limitations as the claims 1-22 (e.g., 18-22) (see '399).

Regarding **Claim 26** and dependents 27-28, 30, the claims have similar and/or exact limitations as the claims 1-22 (e.g., 10-13) (see '399).

### ***Claim Objections***

5. **Claims 1, 10, and 26** are objected to because of the following informalities:

- a. Claim 1 recites the limitation "...**rigging** within..." in line(s) 24 of the claim. The Examiner suggests, for example, "...**ringing** within..." or requests the applicant to clarify the claim language with applicable terminology as supported by the specification.
- b. Claim 10 recites the limitation "...**rigging** within..." in line(s) 13 of the claim. The Examiner suggests, for example, "...**ringing** within..." or requests the applicant to clarify the claim language with applicable terminology as supported by the specification.
- c. Claim 26 recites the limitation "...**rigging** within..." in line(s) 14 of the claim. The Examiner suggests, for example, "...**ringing** within..." or requests the applicant to clarify the claim language with applicable terminology as supported by the specification.

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1-4, 6-12, 14-17, 26-28, and 30-32** are rejected under 35 U.S.C. 102(b) as being anticipated by **O'Neil et al.** (hereinafter O'Neil) (**US 5,963,864**).

Regarding **claim 1**, O'Neil discloses a system (see col. 8, line 43-50; Fig. 1) for providing a simultaneous ring service for a subscriber (see abstract; col. 8, line 43-50; Figs. 4a-b and 5), comprising:

a switch (16a-b) in communication with a “wireline unit” (20e or 20f) which reads on the claimed “wired terminal” having a first identifier (e.g., wireline unit directory number) associated with the subscriber for detecting a first terminating trigger specific to the service in response to an incoming communication to the wired terminal (20e) from a calling party (20a-d), wherein the first terminating trigger is associated with the first identifier (e.g., wireline unit directory number) (see col. 16, lines 4-32; col. 15, lines 40-50; col. 10, line 8 - col. 11, line 24; Figs. 4a-b and 5). The system contains an AIN (Advanced Intelligent Network) which triggers an event (see col. 12, lines 25-40; col. 15, lines 1-9; Figs. 4A “step 110” and 5 “step 210”), where the switches provide triggers on how to process a call to a wireless or wireline telephone number which operates in conjunction with the SCP according to the feature or service provided. ;

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a service control point (24) in communication with the switch (16b) for determining, in response to detection of the first terminating trigger by the switch (16b), whether the wired terminal (20e) and an associated wireless terminal (34) of the subscriber are available (col. 12, lines 5-40; col. 16, line 57 - col. 17, line 19; Figs. 4a-b and 5); and

a services node (30) in communication with the switch (16b) for receiving the incoming communication from the switch (16b) when the service control point (24) determines that both the wired terminal (20e) and the wireless terminal (34) are available, and, in response thereto, for placing first and second outgoing communications (see col. 12, line 41 - col. 13, line 8; col. 16, line 52 - col. 17, line 19; Figs. 4a-b and 5), where the directory number for the wireless terminal is stored in the database of the SCP for the extension services provided;

wherein the switch (16b) is further for routing the second outgoing communication to the wired terminal and for detecting a second terminating trigger (e.g., another trigger) associated with the wireless terminal in response to the first outgoing communication (see col. 15, lines 40-50; col. 16, lines 4-30; Figs. 4a-b and 5). The system contains an AIN (Advanced Intelligent Network) which triggers an event (see col. 12, lines 25-40; col. 15, lines 1-9; Figs. 4A "step 110" and 5 "step 210"), where the switches provide triggers on how to process a call to a wireless or wireline telephone number which operates in conjunction with the SCP according to the feature or service provided., and

wherein the service control point (24), in response to detection of the second terminating trigger (e.g., another trigger) by the switch (16b), is further for interrogating a database for a second identifier (e.g., wireless unit directory number) associated with the wireless terminal (34) and instructing the switch to route the first outgoing communication (e.g., first call or

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leg) to the wireless terminal (34) (see col. 15, lines 40-54; col. 16, lines 4-30; col. 16, line 52 - col. 17, line 19; col. 21, lines 5-25; col. 10, lines 28-37; col. 12, lines 18-40; Figs. 4a-b and 5), where system allows that any type of unit (wireless or wireline) can be used to direct communication with any other type of unit (wireless or wireline) (see col. 9, lines 45-60) which allows for either the wireline or wireless unit to be first or second communication that meets the claiming of the first outgoing communication to the wireless telecommunication unit. The trigger causes the SCP (24) to query a database to provide subscriber information such as the services and wireless number (e.g., identifier),

wherein the services node (30) is further configured for placing the second outgoing communication (e.g., second call or leg) a predetermined time period after placing the first outgoing communication (e.g., first call or leg) wherein the predetermined time period is configured to cause the wired terminal (20e) and the wireless terminal (34) to begin ringing within 3 seconds of each other (see col. 20, line 48 - col. 21, line 13; col. 21, lines 38-48; Fig. 4a "ref. 110"), where directing a call to the wireless unit (e.g., first call or leg) takes a certain time period to setup then directing the call to the wireline unit (e.g., second call or leg) so the rings would be simultaneous because of the delay through the wireless network in which the wireless terminal and wired terminal both ring at the same time, concurrently, or within a matter of time (e.g., seconds) of each other.

Regarding **claim 2**, O'Neil discloses the system (Fig. 1) of claim 1, wherein the services node (30) is further for:



connecting the incoming communication to the wired terminal (20e) when the wired terminal (20e) is answered before the wireless terminal (34) (see col. 21, lines 50-59; Figs. 4a-b and 5); and

connecting the incoming communication to the wireless terminal (34) when the wireless terminal (34) is answered before the wired terminal (20e) (see col. 21, lines 50-59; Figs. 4a-b and 5).

Regarding **claim 3**, O'Neil discloses the system (Fig. 1) of claim 2, wherein the services node (30) is further for:

dropping the first outgoing communication when the wired terminal (20e) is answered before the wireless terminal (34) (see col. 23, lines 38-67; Figs. 4a-b and 5); and

dropping the second outgoing communication when the wireless terminal (34) is answered before the wired terminal (20e) (see col. 23, lines 38-67; Figs. 4a-b and 5).

Regarding **claim 4**, O'Neil discloses the system of claim 3, wherein the service control point (24) includes an associated database (28) storing the second identifier (e.g., wireless unit directory number) associated with the wireless terminal (34) (see col. 15, lines 40-53; Fig. 1), and

wherein the services node (30) is not for storing the second identifier associated with the wireless terminal (34) (see col. 15, lines 40-53; col. 12, lines 11-24; col. 15, lines 40-53; Fig. 1), where the directory number for the wireless terminal is stored in the database of the SCP for the extension services provided.

Regarding **claim 6**, O'Neil discloses the system of claim 1, wherein the service control point (24) is for determining whether the wired terminal (20e) is available by sending

a query message to the switch (16b) requesting a status of the wired terminal (20e) (see col. 16, line 66 - col. 17, line 12; Figs. 4a-b).

Regarding **claim 7**, O'Neil discloses the system of claim 6, wherein the service control point (24) is for determining whether the wireless terminal (34) is available by sending a query message to a home location register requesting the status of the wireless terminal (34) (see col. 16, line 56-65; col. 18, line 6-19; Figs. 4a-b).

Regarding **claim 8**, O'Neil discloses the system of claim 7, wherein the service control point (24) is further for determining that the wireless terminal (34) is available when the home location register (40) does not respond to the query message within a predetermined time period (see col. 14, lines 15-33; Figs. 1), when there is no response within a certain period of time from the HLR of the availability of the wireless unit the system will check the VLR when the wireless unit is roaming (see col. 18, line 4-19).

Regarding **claim 9**, O'Neil discloses the system of claim 1, wherein the service control point (24) is further for instructing the switch (16b) to route the incoming communication to the wired terminal (20e) when the service control point determines that at least one of the wired terminal (20e) and the wireless terminal (34) are not available (see col. 16, line 52 - col. 17, line 12).

Regarding **claim 10**, O'Neil discloses a method for providing a simultaneous ring service for a subscriber (see abstract; col. 8, line 43-50; Figs. 4a-b and 5), comprising:

detecting an incoming communication from a calling party (20a-d) to a wired terminal (20e) associated with a first identifier (e.g., wireline unit directory number) that is associated

with the subscriber from a first terminating trigger associated with the first identifier (e.g., wireline unit directory number) (see col. 8, line 43-50; col. 15, lines 40-53);

determining, in response to detection of the incoming communication, whether the wired terminal (20e) and an associated wireless terminal (34) of the subscriber are available (see col. 16, line 52 - col. 17, line 19; Fig. 4A-B and 5);

placing first and second outgoing communications when both the wired terminal (20e) and the wireless terminal (34) are available (see col. 20, line 66 - col. 21, line 48; Figs. 4A '110' and 5 '210');

routing the second outgoing communication to the wired terminal (20e) (see col. 21, line 2-25; Fig. 1);

detecting a second terminating trigger associated with the wireless terminal in response to the first outgoing communication (see col. 16, lines 4-30; col. 21, lines 13-25; Figs. 4a-b, 5), where the trigger determines the status of the wireless unit; and

routing, in response to detection of the second terminating trigger, the first communication to the wireless terminal (34) (see col. 16, lines 4-30; col. 21, line 26-48; Figs. 1, 4A-B, 5),

wherein placing the first and second outgoing communications includes placing the first outgoing communication (e.g., first call or leg) a predetermined time period before placing the second outgoing communication (e.g., second call or leg) wherein the predetermined time period is configured to cause the wired terminal (20e) and the wireless terminal (34) to begin ringing within 3 seconds of each other (see col. 20, line 48 - col. 21, line 13; col. 21, lines 38-48; Fig. 4a "ref. 110"), where directing a call to the wireless unit (e.g., first call or leg) takes

a certain time period to setup then directing the call to the wireline unit (e.g., second call or leg) so the rings would be simultaneous because of the delay through the wireless network in which the wireless terminal and wired terminal both ring at the same time, concurrently, or within a matter of time (e.g., seconds) of each other.

Regarding **claim 11**, O'Neil discloses the method of claim 10, further comprising:

connecting the incoming communication to the wired terminal (20e) when the wired terminal (20e) is answered before the wireless terminal (34) (see col. 21, lines 50-59; Figs. 4a-b and 5); and

connecting the incoming communication to the wireless terminal (34) when the wireless terminal (34) is answered before the wired terminal (20e) (see col. 21, lines 50-59; Figs. 4a-b and 5).

Regarding **claim 12**, O'Neil discloses the method of claim 11, further comprising:

dropping the first outgoing communication when the wired terminal (20e) is answered before the wireless terminal (34) (see col. 23, lines 38-67; Figs. 4a-b and 5); and

dropping the second outgoing communication when the wireless terminal (34) is answered before the wired terminal (20e) (see col. 23, lines 38-67; Figs. 4a-b and 5).

Regarding **claim 14**, O'Neil discloses the method of claim 10, wherein determining whether the wired terminal (20e) is available includes sending a query message requesting a status of the wired terminal (20e) (see col. 16, line 66 - col. 17, line 12; Figs. 4a-b).

Regarding **claim 15**, O'Neil discloses the method of claim 14, wherein determining whether the wireless terminal (34) is available includes sending a query message to a home

location register requesting a status of the wireless terminal (34) (see col. 16, line 56-65; col. 18, line 6-19; Figs. 4a-b).

Regarding **claim 16**, O'Neil discloses the method of claim 15, wherein determining whether the wireless terminal (34) is available includes determining that the wireless terminal (34) is available when the home location register (40) does not respond to the query message within a predetermined time period (see col. 14, lines 15-33; Figs. 1), when there is no response within a certain period of time from the HLR of the availability of the wireless unit the system will check the VLR when the wireless unit is roaming (see col. 18, line 4-19).

Regarding **claim 17**, O'Neil discloses the method of claim 10, further comprising routing the incoming communication to the wired terminal (20e) when it is determined that at least one of the wired terminal (20e) and the wireless terminal (34) are not available (see col. 16, line 52 - col. 17, line 12).

Regarding **claim 26**, O'Neil discloses a computer readable medium having stored thereon computer-executable instructions for causing a computer to perform a method of providing a simultaneous ring service for a subscriber, the method comprising:

detecting an incoming communication from a calling party (20a-d) to a wired terminal (20e) associated with a first identifier (e.g., wireline unit directory number) that is associated with the subscriber from a first terminating trigger associated with the first identifier (e.g., wireline unit directory number) (see col. 8, line 43-50; col. 15, lines 40-53);

determining, in response to detection of the incoming communication, whether the wired terminal (20e) and an associated wireless terminal (34) of the subscriber are available (see col. 16, line 52 - col. 17, line 19; Figs. 4A-B and 5);

placing first and second outgoing communications when both the wired terminal (20e) and the wireless terminal (34) are available (see col. 20, line 66 - col. 21, line 48; Figs. 4A '110' and 5 '210');

wherein placing the first and second outgoing communications includes placing the first outgoing communication (e.g., first call or leg) a predetermined time period before placing the second outgoing communication (e.g., second call or leg) wherein the predetermined time period is configured to cause the wired terminal (20e) and the wireless terminal (34) to begin ringing within 3 seconds of each other (see col. 20, line 48 - col. 21, line 13; col. 21, lines 38-48; Fig. 4a "ref. 110"), where directing a call to the wireless unit (e.g., first call or leg) takes a certain time period to setup then directing the call to the wireline unit (e.g., second call or leg) so the rings would be simultaneous because of the delay through the wireless network in which the wireless terminal and wired terminal both ring at the same time, concurrently, or within a matter of time (e.g., seconds) of each other;

routing the second outgoing communication to the wired terminal (20e) (see col. 21, line 2-25; Fig. 1);

detecting a second terminating trigger associated with the wireless terminal in response to the first outgoing communication (see col. 16, lines 4-30; col. 21, lines 13-25; Figs. 4a-b, 5), where the trigger determines the status of the wireless unit; and

routing, in response to detection of the second terminating trigger, the first communication to the wireless terminal (34) (see col. 16, lines 4-30; col. 21, line 26-48; Figs. 1, 4A-B, 5).

Regarding **claim 27**, O'Neil discloses the computer readable medium of claim 26, the method further comprising:

connecting the incoming communication to the wired terminal (20e) when the wired terminal (20e) is answered before the wireless terminal (34) (see col. 21, lines 50-59; Figs. 4a-b and 5); and

connecting the incoming communication to the wireless terminal (34) when the wireless terminal (34) is answered before the wired terminal (20e) (see col. 21, lines 50-59; Figs. 4a-b and 5).

Regarding **claim 28**, O'Neil discloses the computer readable medium of claim 27, the method further comprising:

dropping the first outgoing communication when the wired terminal (20e) is answered before the wireless terminal (34) (see col. 23, lines 38-67; Figs. 4a-b and 5); and

dropping the second outgoing communication when the wireless terminal (34) is answered before the wired terminal (20e) (see col. 23, lines 38-67; Figs. 4a-b and 5).

Regarding **claim 30**, O'Neil discloses the computer readable medium of claim 26, wherein the first identifier comprises at least a first telephone number (e.g., wireline unit directory number) and wherein the second identifier comprises at least a second telephone number (e.g., wireless unit directory number) that is different from the at least a first telephone number (e.g., wireline unit directory number) (see col. 15, lines 40-50).

Regarding **claim 31**, O'Neil discloses the system of claim 1, wherein the first identifier comprises at least a first telephone number (e.g., wireline unit directory number) and wherein the second identifier comprises at least a second telephone number (e.g., wireless unit directory number) that is different from the at least a first telephone number (e.g., wireline unit directory number) (see col. 15, lines 40-50).

Regarding **claim 32**, O'Neil discloses the method of claim 10, wherein the first identifier comprises at least a first telephone number (e.g., wireline unit directory number) and wherein the second identifier comprises at least a second telephone number (e.g., wireless unit directory number) that is different from the at least a first telephone number (e.g., wireline unit directory number) (see col. 15, lines 40-50).

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 18-25 and 33** are rejected under 35 U.S.C. 103(a) as being unpatentable over **O'Neil et al.** (hereinafter O'Neil) (**US 5,963,864**) in view of **Becker et al.** (hereinafter Becker) (**US 6,606,508 B2**).

Regarding **claim 18**, O'Neil discloses a system for providing a simultaneous ring service for a subscriber (see abstract; col. 8, line 43-50; Figs. 1, 4a-b, and 5), comprising:



means for detecting an incoming communication from a calling party (20a-d) using a calling party terminal to a wired terminal (20e) associated with a first identifier (e.g., wireline unit directory number) that is associated with the subscriber from a first terminating trigger associated with the first identifier (e.g., wireline unit directory number) (see col. 8, line 43-50; col. 15, lines 40-50);

programmable determination means for determining, in response to detection of the incoming communication, whether the wired terminal (20e) and an associated wireless terminal (34) of the subscriber are available (see col. 16, line 52 - col. 17, line 19; Figs. 4A-B and 5);

the wireless terminal (34) being associated with the wired terminal (20e) configured to receive the incoming communication from the calling party (see col. 15, lines 4-36; col. 20, line 48 - col. 21, line 13; col. 21, lines 38-48; Figs. 1, 4A “ref. 108 and 110”, and 4B), where the wireless terminal is associated with the wired terminal in which the terminals are able to receive incoming calls,

programmable service means for placing first and second outgoing communications when both the wired terminal (20e) and the wireless terminal (34) are available and when the calling party identifier (e.g., caller - 20a) is not identical to the wireless terminal identifier (e.g., telephone number) (see col. 20, line 66 - col. 21, line 48; col. 10, line 66 - col. 11, line 24; col. 15, lines 4-36; Figs. 1, 4A ‘110’ and 5 ‘210’), where the caller is not associated with the subscriber’s wired terminal (20e) and associated (e.g., extension) wireless terminal (34);

switching means for routing the second outgoing communication to the wired terminal (20e) (see col. 21, line 2-25; Fig. 1);

means for detecting a second terminating trigger associated with the wireless terminal in response to the first outgoing communication (see col. 16, lines 4-30; col. 21, lines 13-25; Figs. 4A-B, 5), where the trigger determines the status of the wireless unit (see col. 21, line 2-25; Fig. 1); and

switching means for routing, in response to detection of the second terminating trigger, the first communication to the wireless terminal (34) (see col. 16, lines 4-30; col. 21, lines 26-48; Figs. 4A-B and 5). O'Neil does not specifically disclose having the features programmable determination means for determining, in response to detection of the incoming communication, whether an identifier associated with the calling party is identical to an identifier of the wireless terminal of the subscriber, wherein the wireless terminal and the calling party terminal are the same terminal when the identifier associated with the calling party is identical to the identifier of the wireless terminal. However, the examiner maintains that the features programmable determination means for determining, in response to detection of the incoming communication, whether an identifier associated with the calling party is identical to an identifier of the wireless terminal of the subscriber, wherein the wireless terminal and the calling party terminal are the same terminal when the identifier associated with the calling party is identical to the identifier of the wireless terminal was well known in the art, as taught by Becker.

In the same field of endeavor, Becker discloses the features programmable determination means for determining, in response to detection of the incoming communication, whether an identifier (e.g., caller's number) associated with the calling party is identical to an identifier (e.g., phone number) of the wireless terminal (19) of

the subscriber (see col. 2, lines 16-40; Figs. 1-2 and 6), where the incoming call from a terminal (e.g., mobile station 19) is checked for an associated group number (e.g., home, office, and customer number) in which the numbers are programmed in a table,

wherein the wireless terminal (19) and the calling party terminal are the same terminal when the identifier (e.g., phone number) associated with the calling party is identical to the identifier of the wireless terminal (19) (see col. 2, lines 16-40; col. 3, lines 1-14; Figs. 1-2 and 6), where the incoming call from a terminal (e.g., mobile station 19) is checked for an associated group number (e.g., home, office, and customer number) in which the numbers are programmed in a table. The wireless terminal is the calling party that is associated with the group.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of O'Neil and Becker to have the features programmable determination means for determining, in response to detection of the incoming communication, whether an identifier associated with the calling party is identical to an identifier of the wireless terminal of the subscriber, wherein the wireless terminal and the calling party terminal are the same terminal when the identifier associated with the calling party is identical to the identifier of the wireless terminal, in order to have distinction between numbers as regards to call reception, as taught by Becker (see col. 1, lines 15-17).

Regarding **claim 19**, the combination of O'Neil and Becker discloses every limitation claimed, as applied above (see claim 18), in addition O'Neil further discloses the system of claim 18, wherein the programmable service means further include:

programmable switching means for connecting the incoming communication to the wired terminal (20e) when the wired terminal (20e) is answered before the wireless terminal (34) (see col. 21, lines 50-59; Figs. 4a-b and 5); and

programmable switching means for connecting the incoming communication to the wireless terminal (34) when the wireless terminal (34) is answered before the wired terminal (20e) (see col. 21, lines 50-59; Figs. 4a-b and 5).

Regarding **claim 20**, the combination of O'Neil and Becker discloses every limitation claimed, as applied above (see claim 19), in addition O'Neil further discloses the system of claim 19, wherein the programmable service means further include:

programmable means for dropping the first outgoing communication when the wired terminal (20e) is answered before the wireless terminal (34) (see col. 23, lines 38-67; Figs. 4a-b and 5); and

programmable means for dropping the second outgoing communication when the wireless terminal (34) is answered before the wired terminal (20e) (see col. 23, lines 38-67; Figs. 4a-b and 5).

Regarding **claim 21**, the combination of O'Neil and Becker discloses every limitation claimed, as applied above (see claim 18), in addition O'Neil further discloses the system of claim 18, wherein the programmable service means for placing the first and second outgoing communications includes programmable service means for placing the first outgoing communication a predetermined time period before placing the second outgoing communication (see col. 20, line 66 - col. 21, line 13), where the directing to the wireless unit

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takes a certain time period to setup then directing to the wireline unit so the rings would be simultaneous because of the delay through the wireless network.

Regarding **claim 22**, the combination of O'Neil and Becker discloses every limitation claimed, as applied above (see claim 18), in addition O'Neil further discloses the system of claim 18, wherein the programmable means for determining whether the wired terminal (20e) is available includes programmable means for sending a query message requesting a status of the wired terminal (20e) (see col. 16, line 66 - col. 17, line 12; Figs. 4a-b).

Regarding **claim 23**, the combination of O'Neil and Becker discloses every limitation claimed, as applied above (see claim 22), in addition O'Neil further discloses the system of claim 22, wherein the programmable means for determining whether the wireless terminal (34) is available includes programmable means sending a query message to a home location register requesting a status of the wireless terminal (34) (see col. 16, line 56-65; col. 18, line 6-19; Figs. 4a-b).

Regarding **claim 24**, the combination of O'Neil and Becker discloses every limitation claimed, as applied above (see claim 23), in addition O'Neil further discloses the system of claim 23, wherein the programmable means for determining whether the wireless terminal (34) is available includes programmable means for determining that the wireless terminal (34) is available when the home location register (40) does not respond to the query message within a predetermined time period (see col. 14, lines 15-33; Figs. 1), when there is no response within a certain period of time from the HLR of the availability of the wireless unit the system will check the VLR when the wireless unit is roaming (see col. 18, line 4-19).

Regarding **claim 25**, the combination of O'Neil and Becker discloses every limitation claimed, as applied above (see claim 18), in addition O'Neil further discloses the system of claim 18, further comprising switching means for routing the incoming communication to the wired terminal (20e) when it is determined that at least one of the wired terminal (20e) and the wireless terminal (34) are not available (see col. 16, line 52 - col. 17, line 12).

Regarding **claim 33**, the combination of O'Neil and Becker discloses every limitation claimed, as applied above (see claim 18), in addition O'Neil further discloses the system of claim 18, wherein the first identifier comprises at least a first telephone number (e.g., wireline unit directory number) and wherein the second identifier comprises at least a second telephone number (e.g., wireless unit directory number) that is different from the at least a first telephone number (e.g., wireline unit directory number) (see col. 15, lines 40-50).

***Response to Arguments***

8. Applicant's arguments with respect to claims 1-4, 6-12, 14-28, and 30-33 have been considered but are moot in view of the new ground(s) of rejection.
9. Regarding applicant's remark on pg. 14, section I, "...hold this rejection...", the Examiner acknowledges that applicant agrees a terminal disclaimer should be filed. As the terminal disclaimer has not been filed by the applicant, the Examiner hereby maintains the double patent rejection of the claims as addressed above. Also, see the action mailed on 26 January 2005 and 24 August 2005.

***Conclusion***

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Willie J. Daniel, Jr. whose telephone number is (571) 272-7907. The examiner can normally be reached on 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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WJD,JR  
23 May 2006

*Marsha BaurHed*  
SPE 2617